

CULLEN & DYKMAN LLP  
100 Quentin Roosevelt Boulevard  
Garden City, NY 11530  
(516) 357-3700  
Matthew G. Roseman, Esq.  
Bonnie L. Pollack, Esq.

Proposed Counsel for The College of New Rochelle

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	: Chapter 11
	:
THE COLLEGE OF NEW ROCHELLE,	: Case No.
	:
	:
Debtor,	:
	:
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**APPLICATION FOR AN ORDER EXTENDING TIME TO FILE SCHEDULES OF  
ASSETS AND LIABILITIES AND STATEMENT OF FINANCIAL AFFAIRS**

TO THE HONORABLE ROBERT D. DRAIN, UNITED STATES BANKRUPTCY JUDGE:

The motion (the “Motion”) of The College of New Rochelle (the “Debtor”), debtor and debtor-in-possession herein, by its proposed attorneys, Cullen and Dykman LLP, for entry of an order pursuant to Rule 1007 of the Federal Rules of Bankruptcy Procedure extending the Debtor’s time to file its schedules of assets and liabilities and statement of financial affairs (collectively, the “Schedules”), a copy of which order (the “Proposed Order”) is annexed hereto as Exhibit “A”, respectfully represents as follows:

**INTRODUCTION**

1. On September 20, 2019 (the “Petition Date”), the Debtor filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code (the “Bankruptcy Code”) in this Court.

2. The Debtor has been authorized to remain in possession of its property and to continue in the operation and management of its business as debtor-in-possession pursuant to sections 1107 and 1108 of the Bankruptcy Code.

3. No official committee of unsecured creditors has yet been appointed by the Office of the United States Trustee for the Southern District of New York (the “U.S. Trustee”) in this Chapter 11 case.

4. Simultaneously with the filing of its petition, the Debtor filed the Affidavit of Mark Podgainy pursuant to Local Bankruptcy Rule 1007-2 (the “Podgainy Affidavit”). A more detailed factual background of the Debtor’s business and operations, as well as the events leading to the filing of this chapter 11 case, is more fully set forth in the Podgainy Affidavit, the contents of which are incorporated herein by reference.

#### **RELIEF REQUESTED**

5. Pursuant to Rule 1007(c) of the Bankruptcy Rules, a debtor is required to file its Schedules within fifteen (15) days of the filing of its voluntary petition, unless a court grants an extension of such time.

6. The Debtor has been spending the vast majority of its pre-Petition Date time negotiating the Teach-Out Agreement and the Lease Agreement, ensuring the ability of its student body to continue with their educations, and negotiating with its lenders with respect to the satisfaction of its obligations. As such, an extraordinary burden was placed upon the Debtor’s management team in the immediate weeks preceding the Petition Date. In addition, it is likely that during the next several weeks, the Debtor will be inundated with attendant responsibilities and requests from its vendors, lenders and other parties in interest as is customary in any large bankruptcy case. Accordingly, the Debtor requests that it be afforded an additional thirty (30) day extension to file its Schedules. The Debtor will diligently work

towards the completion of the Schedules, however the strain on the Debtor's financial and management team will be lessened if the extension is granted.

7. Although the Debtor has begun to accumulate and organize the information needed, the Debtor will not likely be able to forward to counsel its complete information with sufficient time to ensure finalization of the Schedules for timely filing. At this juncture, the Debtor estimates that an extension of an additional thirty (30) days pursuant to Bankruptcy Rule 1007(c), will provide sufficient time to finalize and file the Schedules.

8. Accordingly, the Debtor is requesting an additional thirty (30) day extension of the time to file its Schedules under Bankruptcy Rule 1007(c).

#### **NOTICE**

9. No trustee, examiner, or creditors' committee has been appointed in the Debtor's chapter 11 case. Notice of this Motion has been provided to (i) the Office of the United States Trustee for the Southern District of New York, (ii) the attorneys for the Debtor's pre- and post-petition lenders, (iii) the holders of the twenty (20) largest unsecured claims against the Debtor, and (iv) any person who has heretofore filed a Notice of Appearance.

10. No prior application for the relief requested herein has been made to this or any other Court.

**WHEREFORE**, the Debtor respectfully requests that this Court enter the Proposed Order and grant the Debtor such other and further relief as is just and proper.

DATED: Garden City, New York  
September 20, 2019

CULLEN AND DYKMAN LLP

BY: s/ Bonnie Pollack  
Matthew G. Roseman, Esq.  
Bonnie L. Pollack, Esq.  
100 Quentin Roosevelt Boulevard  
Garden City, New York 11530  
(516) 357-3700

Proposed Attorneys for The College of New Rochelle

**EXHIBIT "A"**

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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**ORDER EXTENDING TIME TO FILE  
SCHEDULES OF ASSETS AND LIABILITIES  
AND STATEMENT OF FINANCIAL AFFAIRS**

Upon the annexed motion dated September 20, 2019 (the “Motion”) of The College of New Rochelle (the “Debtor”), debtor and debtor-in-possession herein, by its proposed attorneys, Cullen and Dykman LLP, for the entry of an order extending the Debtor’s time to file its schedules of assets and liabilities and statement of financial affairs (collectively, the “Schedules”) pursuant to Rule 1007(c) of the Federal Rules of Bankruptcy Procedure; and it appearing that the requested relief is reasonable and proper; and it appearing that proper and sufficient notice of this order and the relief sought in the Application has been provided; and due deliberation having been had, and sufficient cause appearing to me therefor; it is

**ORDERED**, that the time for the Debtor to file the Schedules required by Bankruptcy Rule 1007(b) be, and hereby is, enlarged and extended pursuant to Bankruptcy Rule 1007(c) for an additional thirty (30) days to November 4, 2019; and it is further

**ORDERED**, that the entry of this Order shall be without prejudice to the Debtor's right to seek a further extension of the time to file its Schedules.

DATED: White Plains, New York  
September \_\_, 2019

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United States Bankruptcy Judge